

UNITED STATES DISTRICT COURT

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

for the

District of

NEW
MEXICO

OCT 29 2014

United States of America
v.**MATTHEW J. DYKMAN**
CLERKCase No. *14-mj-3557*ORLANDO JAY JOHNSON
YEAR OF BIRTH 1991*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

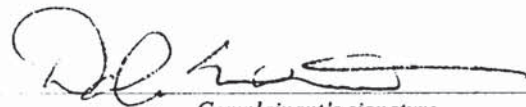
On or about the date(s) of 10/23/2014 in the county of SAN JUAN in the
District of NEW MEXICO, the defendant(s) violated:*Code Section**Offense Description*

TITLE 18 USC SECTION 2111

ROBBERY

TITLE 18 USC SECTION 1153

CRIMES IN INDIAN COUNTRY

This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT☒ Continued on the attached sheet.*Complainant's signature*DALE WEST
CRIMINAL INVESTIGATOR*Printed name and title*

Sworn to before me and signed in my presence.

Date: 10/29/2014*Judge's signature*City and state: FARMINGTON, NMPAUL BRIONES
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

United States of America,
Plaintiff,

vs.

ORLANDO JAY JOHNSON
YOB: 1991
SSAN: XXX-XX-9175
Defendant

Case No.: 14-mj-3557

AFFIDAVIT

1. Your affiant is a Criminal Investigator (CI) of the Navajo Nation Criminal Investigation Services (NNCIS) and has a Special Law Enforcement Commission (SLEC) with the Bureau of Indian Affairs (BIA). Your affiant is currently assigned to the Shiprock Police District, and has primary investigative responsibility in crimes that occur in Indian country; including violent crimes such as homicide, robbery, arson, aggravated assault, and sexual assault. The information set forth in this affidavit has been derived from an investigation conducted by your affiant, Special Agent (SA) Brad Michael with the Federal Bureau of Investigations (FBI), as well as other law enforcement Officers of the Navajo Nation Department of Public Safety (NNDPS).

2. On October 23, 2014, at approximately 10:12 am, Orlando Jay Johnson, a Navajo Indian adult male, was at the McDonald's restaurant in Shiprock, New Mexico, when he followed JD, an elderly Navajo adult male, walking back to his vehicle. Orlando Jay Johnson then reached into JD's back

1 pocket and removed JD's wallet. JD turned around and Orlando Jay Johnson ran
2 across the road.

3 3. JD called the Navajo Police and pursued Orlando Jay Johnson
4 approximately half a mile in his truck. JD caught up to Orlando Jay Johnson who
5 then returned the wallet to JD but kept \$16.00.

6 4. Navajo Police arrived on scene. JD told police officers that Orlando Jay
7 Johnson had stolen his wallet while he was at McDonald's and still had some of
8 his money. Orlando Jay Johnson told the officers that he was sorry and didn't
9 mean to take the money. Officers searched Orlando Jay Johnson and recovered
10 the \$16.00.

11 5. Orlando Jay Johnson was arrested by Navajo Police.

12 6. The Navajo Police Officers noticed that JD was slightly sweating and
13 was shaking. JD was asked if he needed medical attention. Initially, JD stated he
14 was fine but subsequently stated he needed help. An ambulance was called to the
15 scene and JD was transported to the hospital.

16 7. On October 28 2014, your affiant and FBI SA Michael interviewed
17 Orlando Jay Johnson at the Criminal Investigations Office, Shiprock, New
18 Mexico. Orlando Jay Johnson was read his Miranda rights. Orlando Jay Johnson
19 stated that he understood his rights and agreed to talk to your affiant and FBI SA
20 Michael about the incident. Orlando Jay Johnson stated that he had been kicked
21 out of his sister's house for smoking marijuana around her kids and had been
22 living on the streets for three days. He went to McDonald's and saw JD pay with
23 cash. JD appeared to be an easy target so Orlando Jay Johnson followed JD to his
24 vehicle and stole JD's wallet. JD chased Orlando Jay Johnson down the road and
25 Orlando Jay Johnson returned the wallet to JD but kept some of the money.

1 8. Your affiant obtained the surveillance video from McDonalds. In the
2 video Orlando Jay Johnson is seen sitting at a table, then moves to another table.
3 He goes to the bathroom and then walks outside and waits by a trash can. When
4 JD exits McDonalds, Orlando Jay Johnson follows.

5 9. The McDonalds in Shiprock, New Mexico, is located within the
6 exterior boundaries of the Navajo Nation Indian Reservation.

7 10. Based on the information set forth in this affidavit, your Affiant
8 submits there is probable cause to believe that on or about October 23, 2014,
9 within the exterior boundaries of the Navajo Nation Indian Reservation, Orlando
10 Jay Johnson, an Indian, did, by force, violence or intimidation, take from the
11 person of another anything of value, in violation of Title 18, United States Code,
12 Sections 1153 and 2111 by stealing a wallet containing money from the back
13 pocket of JD and then fleeing on foot.

14 I swear that this information is true and correct to the best of my
15 knowledge and belief.

16 

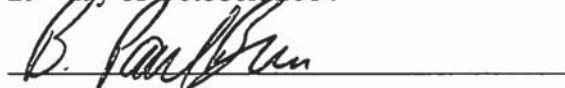
17 Dale West, Criminal Investigator

18 Navajo Nation Criminal Investigation Services

19 Subscribed and sworn

20 Before me, on this

21 29th day of October, 2014

22 

23 UNITED STATES MAGISTRATE JUDGE